

Message

From: Ross, Adam [ross.adam@epa.gov]
Sent: 4/21/2017 12:36:14 PM
To: Gary Burin [GBurin@TSGUSA.COM]
CC: Edelstein, Rebecca [Edelstein.Rebecca@epa.gov]
Subject: RE: Clarification Needed: FOIA Request EPA-HQ-2017-006299

Gary:

As a follow up to the email from yesterday, we are updating you on the time frame to obtain CBI material generally in subsequent FOIA request. The time frame is likely to be several months if at all given how cautiously the EPA releases CBI material. First, we would review your subsequent FOIA request and provide any responsive documents or initially deny your access to CBI material. Second, we would analyze the validity of each CBI claim on each document from the subsequent request. Third, we would contact the original PMN submitter asking for a substantiation of each CBI claim. Here, we would be asking someone who submitted a PMN 17 years ago and may or may not still work at the company. If this person is available and responds with a substantiation then all surrounding documents go to our Office of General Counsel ("OGC") for a review. OGC then makes a final determination whether the CBI could be released.

These various steps can take several months and given the number of people involved is likely to cost more than the standard FOIA request. We do not want to deter you but rather answer your request for an estimate of time. As to your current FOIA request (mentioned in the subject line) we hope to provide you responsive documents soon. Thank you for your patience.

Adam

From: Gary Burin [mailto:GBurin@TSGUSA.COM]
Sent: Thursday, April 20, 2017 8:36 AM
To: Ross, Adam <ross.adam@epa.gov>
Cc: Edelstein, Rebecca <Edelstein.Rebecca@epa.gov>
Subject: RE: Clarification Needed: FOIA Request EPA-HQ-2017-006299

Mr. Adams,

Please send the nonconfidential information. I understand that this can be provided fairly quickly.

Can you estimate how long it would take to provide the CBI material if I requested it in a subsequent FOIA request?

Gary

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From: Ross, Adam [mailto:ross.adam@epa.gov]
Sent: Wednesday, April 19, 2017 3:18 PM
To: Gary Burin

Cc: Edelstein, Rebecca
Subject: Clarification Needed: FOIA Request EPA-HQ-2017-006299

April 19, 2017

Gary J. Burin, Ph.D., DABT
Senior Managing Toxicologist
Technology Sciences Group Inc.
1150 18th Street NW, Suite 1000
Washington, DC 20036

RE: FOIA Request EPA-HQ-2017-006299

Dear Dr. Burin:

This message will confirm receipt of your FOIA "Requesting documents submitted to EPA or generated by EPA for Case Number P-00-1165 including a copy of the Premanufacturing Notification, the Health Assessment, the focus meeting notes, the engineering report and SAT information that EPA used to make a regulatory determination." To clarify, are you seeking information claimed as confidential business information ("CBI") or only nonconfidential information? We can provide you with a nonconfidential version of the PMN and nonconfidential information used to make a regulatory determination fairly quickly.

Thank you for your attention and response here.

Adam

Adam B. Ross
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